

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JIMMIE BURTS,

Plaintiff,

Case No. C18-5010 RAJ

V.

NANCY A BERRYHILL, Deputy
Commissioner of Social Security for Operations,

Defendant.

ORDER OF DISMISSAL

This matter comes before the Court on Defendant's Motion to Dismiss pursuant to Rule 41(b), filed July 11, 2018, and noted for August 3, 2018. Dkt. 17. The Scheduling Order required Plaintiff to file his opening brief by July 5, 2018. Dkt. 16. Plaintiff has not filed an opening brief, has not filed any response to Defendant's Motion to Dismiss, and has not requested any extension of time. Therefore, the Court **GRANTS** Defendant's motion.

It is hereby **ORDERED** that this matter is **DISMISSED** for failure to prosecute. This dismissal is without prejudice for Plaintiff to re-file the matter within the proper statutory limitations.

DATED this 7th day of August, 2018.

Richard D. Jones

The Honorable Richard A. Jones
United States District Judge